

Message Text

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ACTION EB-11

INFO OCT-01 EA-11 ISO-00 SS-20 L-03 NSC-07 CAB-09 CIAE-00

COME-00 DODE-00 DOTE-00 INR-11 NSAE-00 RSC-01 FAA-00

SSO-00 NSCE-00 USIE-00 INRE-00 DRC-01 /075 W

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O 031013Z AUG 74

FM AMEMBASSY MANILA

TO SECSTATE WASHDC IMMEDIATE 5761

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E.O. 11652: N/A

TAGS: ETRN, RP

SUBJECT: CIVAIR - BILATERAL TALKS

REF: MANILA 9270

1. FOLLOWING IS EXACT TEXT OF U.S. DRAFT NOTE AS NOW
ACCEPTED BY GOP PER REFTEL: QUOTE

THE EMBASSY OF THE UNITED STATES OF AMERICA PRE-
SENTS ITS COMPLIMENTS TO THE DEPARTMENT OF FOREIGN
AFFAIRS OF THE REPUBLIC OF THE PHILIPPINES AND HAS THE
HONOR TO REFER TO THE RECENT NEGOTIATIONS AND DISCUSSIONS
BETWEEN REPRESENTATIVES OF OUR TWO GOVERNMENTS CONCERN-
ING AN AIR TRANSPORT AGREEMENT BETWEEN OUR TWO GOVERN-
MENTS.

THE EMBASSY WISHES TO PROPOSE THE FOLLOWING INTERIM
ARRANGEMENTS FOR AIR TRANSPORT SERVICES BETWEEN OUR TWO
GOVERNMENTS.

THE UNITED STATES AIR CARRIERS, PAN AMERICAN WORLD
AIRWAYS (PAN AMERICAN) AND NORTHWEST ORIENT AIRLINES (NORTH-
WEST), SHALL EACH BE AUTHORIZED EFFECTIVE IMMEDIATELY TO
OPERATE THREE ROUND-TRIP WEEKLY PASSENGER, MAIL AND CARGO
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FLIGHTS UTILIZING WIDE-BODIED AIRCRAFT ON EXISTING AUTHOR-

IZED ROUTES. PHILIPPINE AIRLINES SHALL BE AUTHORIZED EFFECTIVE IMMEDIATELY TO OPERATE THREE ROUND-TRIP WEEKLY PASSENGER, MAIL AND CARGO FLIGHTS UTILIZING WIDE-BODIED AIRCRAFT AND FOUR ROUND-TRIP WEEKLY PASSENGER, MAIL AND CARGO FLIGHTS UTILIZING DC-8 AIRCRAFT ON EXISTING AUTHORIZED ROUTES.

EFFECTIVE APRIL 1, 1974, THE ABOVE-NAMED UNITED STATES CARRIERS SHALL EACH BE AUTHORIZED TO OPERATE FOUR ROUND-TRIP WEEKLY PASSENGER, MAIL AND CARGO FLIGHTS UTILIZING WIDE-BODIED AIRCRAFT ON EXISTING AUTHORIZED ROUTES. THE PHILIPPINE CARRIER SHALL BE AUTHORIZED TO OPERATE SEVEN ROUND-TRIP WEEKLY PASSENGER AND MAIL AND CARGO FLIGHTS UTILIZING WIDE-BODIED AIRCRAFT ON EXISTING AUTHORIZED ROUTES.

IN ADDITION PAN AMERICAN WILL BE PERMITTED IMMEDIATELY TO OPERATE A BLIND SECTOR ON ANY OR ALL AUTHORIZED FLIGHTS BEYOND MANILA TO HONG KONG, IN BOTH DIRECTIONS, WITHOUT TRAFFIC OR STOPOVER RIGHTS BETWEEN MANILA AND HONG KONG, I.E., LIMITED ONLY TO THROUGH TRAFFIC TO OR FROM HONG KONG. ANY CHANGE IN THE OPERATION OF THIS SECTOR WILL BE ACCOMPLISHED ONLY BY CONSULTATION AND/OR NEGOTIATION BETWEEN OUR TWO GOVERNMENTS.

AS PART OF THIS INTERIM AGREEMENT, THE GOVERNMENT OF THE UNITED STATES OF AMERICA OFFERS PHILIPPINE AIRLINES THE OPTION TO BE EXERCISED WHEN DESIRED TO OPERATE THREE ADDITIONAL ROUND TRIPS WEEKLY MAIL AND CARGO FREQUENCIES OVER EXISTING AUTHORIZED ROUTES UTILIZING DC-8 SERIES AIRCRAFT UPON APPLICATION WITH THE USCAB. FOR ITS PART THE GOP WILL GIVE SYMPATHETIC CONSIDERATION TO APPLICATIONS FROM US AIRLINES FOR ALL-CARGO SERVICES ON AUTHORIZED ROUTES.

IT IS THE EMBASSY'S UNDERSTANDING THAT THE ABOVE PROVISIONS ARE TO BE CONSIDERED INTERIM IN NATURE PENDING FURTHER NEGOTIATIONS ON A LONGER TERM CAPACITY REGIME AND IF POSSIBLE ON ROUTE ISSUES. IT IS THE INTENT OF THE PARTIES TO RESUME NEGOTIATIONS WITHIN 90 DAYS FROM THE DATE OF THIS EXCHANGE OF NOTES.

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THE INTERIM AGREEMENT WILL CONTINUE IN FORCE UNLESS REPLACED BY A MUTUALLY AGREED FOLLOW-ON ARRANGEMENT. EITHER PARTY MAY TERMINATE THIS INTERIM ARRANGEMENT BY GIVING THE OTHER PARTY SIX MONTHS' WRITTEN NOTICE.

IF THE FOREGOING PROVISIONS ARE ACCEPTABLE TO THE GOVERNMENT OF THE REPUBLIC OF THE PHILIPPINES, THE

EMBASSY PROPOSES THAT THIS NOTE AND THE REPLY OF THE
DEPARTMENT TO THAT EFFECT SHALL CONSTITUTE AN AGREEMENT
BETWEEN OUR TWO GOVERNMENTS WHICH SHALL ENTER INTO EFFECT
IMMEDIATELY UPON RECEIPT OF DEPARTMENT'S NOTE.

END QUOTE
SULLIVAN

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: CIVIL AVIATION, POLICIES, AIRCRAFT DETENTION, NEGOTIATIONS, AVIATION AGREEMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 03 AUG 1974
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: boyleja
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1974MANILA09271
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D740212-0588
From: MANILA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1974/newtext/t19740876/aaaacney.tel
Line Count: 122
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION EB
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 3
Previous Channel Indicators:
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: MANILA 9270
Review Action: RELEASED, APPROVED
Review Authority: boyleja
Review Comment: n/a
Review Content Flags:
Review Date: 23 JUL 2002
Review Event:
Review Exemptions: n/a
Review History: RELEASED <23 JUL 2002 by kelleyw0>; APPROVED <26 FEB 2003 by boyleja>
Review Markings:

Declassified/Released
US Department of State
EO Systematic Review
30 JUN 2005

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CIVAIR - BILATERAL TALKS
TAGS: ETRN, RP, PAL
To: STATE
Type: TE
Markings: Declassified/Released US Department of State EO Systematic Review 30 JUN 2005